



STATE OF NEW JERSEY DEPARTMENT OF EDUCATION

Directions for Responding to a Complaint Filed with the School Ethics Commission

Filing a Written Statement pursuant to N.J.A.C. 6A:28-7 et seq.

On February 1, 2023, the New Jersey State Board of Education adopted amendments and new rules to N.J.A.C. 6A:28, the regulations governing the School Ethics Commission (Commission). These amendments and new rules became effective on March 6, 2023. Consequently, filing a motion to dismiss in response to a complaint has been amended to filing a Written Statement. Therefore, the Commission will no longer accept a motion to dismiss in response to a Complaint.

To file a Written Statement with the Commission, a respondent(s) shall either file a hard copy and send it to School Ethics, NJDOE, 100 Riverview Plaza, P.O. Box 500, Trenton, NJ 08625, or file an electronic copy that can be sent to school.ethics@doe.nj.gov. A respondent(s) shall also serve a copy of the Written Statement on each complainant(s) in the same manner as the Commission was served. Proof of service on each complainant shall also be submitted to the Commission pursuant to N.J.A.C. 6A:28-1.7.

Upon receipt of the Complaint from the Commission, the respondent(s) shall have 20 days from receipt of the Complaint to file a Written Statement. Pursuant to N.J.A.C. 6A:28-7.2, the Written Statement shall fully and completely advise the parties and the Commission as to the nature of the respondent's defenses for each allegation, including any grounds upon which dismissal should be granted. In addition, the Written Statement shall admit or deny each allegation set forth in the Complaint with specificity. Please provide any evidence, if possible.

Additionally, the Written Statement must be signed by the respondent(s) and certified as to the accuracy of the Written Statement. Please note that even if an attorney is submitting the Written Statement, the respondent(s) must personally sign the certification.

A respondent(s) may also allege that the Complaint is frivolous pursuant to N.J.S.A. 18A:12-29(e). Thereafter, the complainant(s) shall have 20 days from receipt of the Written Statement to respond to the allegation of frivolous filing, only.

Detailed instructions, including a complete copy of the regulations and frequently asked questions, are available on the [Commission's website](#).